UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,494	10/01/2003	Hiroyoshi Takamiya	03500.017689	4236

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EXAMINER
FIDLER, SHELBY LEE

ART UNIT	PAPER NUMBER
2861	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/674,494	TAKAMIYA, HIROYOSHI
	Examiner	Art Unit	
	Shelby Fidler	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 February 2006</u>.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>19-39</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>19-39</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>01 October 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

      1. ☒ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 19-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morikawa et

al. (US 4843405) in view of Ogg et al. (US 6965451 B1).

Morikawa et al. teach the following:

regarding claims 19, 24, and 29, an information processing apparatus comprising:

a discrimination unit (printer apparatus) adapted to discriminate whether a first print

mode (portrait mode) is designated (col. 6, lines 38-44); and

a transmission unit (bus B1, Fig. 7) adapted, if the discrimination unit discriminates that

the first print mode is designated, to transmit to a printer a command showing that the first

print mode is set (print mode flag logic state "0", col. 6, lines 31-38) and a drawing command

("data . . . for the pages to be printed," col. 6, lines 38-43), and if the discrimination unit

discriminates that the first print mode is not designated showing that a second print mode is set

(print mode flag logic state "1", col. 6, lines 31-38) and a drawing command ("data . . . for the

pages to be printed," col. 6, lines 38-43)

regarding claims 20, 25, and 30, a notification unit (print mode flag) adapted, if the

discrimination unit discriminates that the first print mode is designated (logic state "0"), to

notify an application (format control subroutine program, Fig. 17), and if the discrimination unit discriminates that the first print mode is not designated (logic state "1"), to notify the application (format control subroutine program, Fig. 17)

*regarding claims 21, 26, and 31, the drawing command is transmitted by the transmission unit to the printer (col. 9, lines 17-32)

*regarding claims 34, 36, and 38, a printer comprising:

a discrimination unit (printer apparatus) adapted to discriminate whether a first print mode (portrait mode) is designated, based on print data (specifically, the print mode flag) received from a host computer (col. 6, lines 38-44); and

a drawing processing unit (control system 10, Fig. 6) adapted to perform drawing processing for the print data received from the host computer (col. 9, lines 8-13)

*regarding claims 35, 37, and 39, a print unit (print head shown in Fig. 7) adapted to print image data obtained by the drawing processing performed by the drawing processing unit (col. 10, lines 13-17 shows that print head control circuit 34, which is part of control system 10, controls the print head)

Morikawa et al. do not expressly teach the following:

*regarding claims 19, 24, and 29, the first print mode is set such that drawing positions are represented by coordinates relative to an origin that is defined at a specific position in a print sheet; and

the second print mode is set such that drawing positions are represented by coordinates relative to an origin that is defined at an edge of a print sheet

   *regarding claims 20, 25, and 30, in the first print mode a specific position in a print sheet is set as the origin, and in the second print mode an edge of a print sheet is set as the origin

   *regarding claims 21, 26, and 31, the drawing command is formed such that a drawing start position is represented by coordinates relative to an origin (col. 13, lines 21-23) that is defined at a specific position in a print sheet (col. 12, lines 55-57) and a drawing end position is represented by a difference from the drawing start position if the discrimination unit discriminates that the first print mode is designated (col. 15, lines 46-48 read with the printable region of Fig. 11), and formed such that a drawing start position is represented by coordinates relative to an origin (col. 13, lines 21-23) that is defined at an edge of a print sheet (col. 12, lines 57-60) and a drawing position is represented by a difference from the drawing start position, if the discrimination unit discriminates that the first print mode is not designated (col. 15, lines 46-48 read with the printable region of Fig. 18)

   *regarding claims 22, 27, and 32, the printer performs drawing processing by setting the specific position in a print sheet as a drawing origin based on the command showing that the first print mode is set, and performs drawing processing by setting the edge of a print sheet as a drawing origin based on the command showing that the second print mode is set

   *regarding claims 23, 28, and 33, the specific position in a print sheet corresponds to a margin of a conventional PDL

   *regarding claim 34, 36, and 38, setting a specific position in a print sheet as a drawing origin if the discrimination unit discriminates that the first print mode is designated, and setting an edge of a print sheet as a drawing origin if the discrimination unit discriminates that the first print mode is not designated

Ogg et al. teach the following:

   *regarding claims 19, 24, and 29, the first print mode (portrait mode) is set such that

drawing positions are represented by coordinates relative to an origin (col. 12, lines 52-54) that

is defined at a specific position in a print sheet ("left corner of virtual sheet" is read as specific

position, col. 12, lines 55-57); and

   the second print mode (landscape mode) is set such that drawing positions are

represented by coordinates relative to an origin (col. 12, lines 52-54) that is defined at an edge of

a print sheet ("opposite edge of sheet", col. 12, lines 57-60)

   *regarding claims 20, 25, and 30, in the first print mode a specific position in a print

sheet is set as the origin (col. 12, lines 55-57), and in the second print mode an edge of a print

sheet is set as the origin (col. 12, lines 57-60)

   *regarding claims 21, 26, and 31, the drawing command is formed such that a drawing

start position is represented by

   *regarding claims 22, 27, and 32, the printer performs drawing processing by setting the

specific position in a print sheet as a drawing origin based on the command showing that the

first print mode is set (col. 12, lines 55-57), and performs drawing processing by setting the edge

of a print sheet as a drawing origin based on the command showing that the second print mode

is set (col. 12, lines 57-60)

   *regarding claims 23, 28, and 33, the specific position in a print sheet corresponds to a

margin of a conventional PDL (Fig. 11)

   *regarding claims 34, 36, and 38, setting a specific position in a print sheet as a drawing

origin if the discrimination unit discriminates that the first print mode is designated (col. 12,

lines 55-57), and setting an edge of a print sheet as a drawing origin if the discrimination unit discriminates that the first print mode is not designated (col. 12, lines 57-60)

At the time of invention, it would have been obvious to a person of ordinary skill in the art to utilize Ogg et al.'s setting of an origin in Morikawa et al.'s printer. The motivation for doing so, as taught by Ogg et al., is to ensure that the printed image will satisfy the preset margin requirements (col. 17, lines 41-54).

Response to Arguments

Applicant's arguments with respect to claims 19-33 have been considered but are moot in view of the new ground(s) of rejection. The above rejection, Morikawa et al. (US 4843405) in view of Ogg et al. (US 6965451 B1), discloses: a transmission unit that transmits to a printer a command showing that the first print mode is set and a command showing that the second print mode is set; and the drawing command is formed such that a drawing start position is represented by coordinates relative to an origin and a drawing end position is represented by a difference from the drawing start position.

Communication with the USPTO

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelby Fidler whose telephone number is (571) 272-8455. The examiner can normally be reached on MWF 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SLF

K. FEGGINS
PRIMARY EXAMINER